

**Town of Walpole  
Stormwater Management and Erosion Control Bylaw**

**REGULATIONS (Approved 11/14/07)**

These Regulations were adopted for implementation of the Stormwater Management and Erosion Control Bylaw (town meeting vote on May 7, 2007, case #4376, approved by the Attorney General July 26, 2007, and filed with the Town Clerk on July 30, 2007) by the Walpole Conservation Commission.

**PART I. APPLICATIONS:**

**Land Disturbance Permit.** The application for a permit shall submit

- A. ten (10) copies of a completed Application Form with signatures of all property owners and the signature of the applicant if different;
- B. a list of abutters within 300 feet, certified by the Assessors Office;
- C. ten (10) copies each of the Erosion and Sediment Control Plan, Stormwater Management Plan, and Operation and Maintenance Plan as specified in PARTS II, III, and IV of these regulations adopted under the bylaw; and
- D. payment of the application and review fees.
- E. Only the plans, documents and other materials provided to the Conservation Commission one week prior to a scheduled meeting will be discussed at that hearing or continued hearing. Plans, documents and other materials that come in after the deadline will not be considered at that hearing unless specific arrangements are made with the Commission or their Agent. The applicant may request a continuance to review the new information at the next meeting.

**Fast Track Permits**

Minimum Erosion and Sedimentation Control Requirements for projects less than 40,000 s.f. as required under section 4B of the Bylaw. Requirements shall be met upon applying for a building permit:

- 1. Siltation and erosion controls shall be employed prior to the commencement of construction on the site, siltation controls shall be placed to prevent soils or other eroded matter from being deposited onto adjacent properties, rights-of-ways, public storm drainage system, or wetland or watercourse.
- 2. Adequate erosion and sedimentation control measures shall be implemented and maintained in their proper effectiveness during the entire construction phase for a project. Such erosion control measures shall be monitored on a daily basis, or as needed, and be reinforced or replaced when needed, per judgment of the site foreman, owner, and/or Conservation Commission or Agent. Such erosion and sedimentation control devices shall remain in place until the site has become stabilized with an adequate vegetative cover.

3. Other stormwater management best management practice to address stormwater quality, infiltration or other stormwater management practices may be suggested in order to comply with the purpose of the Bylaw.

## **PART II. EROSION AND SEDIMENTATION CONTROL PLANS and Requirements**

### **A. Standards.**

The Erosion and Sediment Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls. The Plan must be prepared in accordance with the following standards:

1. The total area of disturbance shall be minimized;
2. Development shall be focused within previously disturbed areas where possible;
3. The construction phasing schedule shall be sequenced to minimize areas of disturbance;
4. Soil erosion shall be minimized and sedimentation will be controlled during construction, provided that prevention of erosion is preferred over sedimentation control;
5. At least 25-feet of the entrance, construction parking areas, and staging areas shall have at least 2-inches of crushed rock or similar materials to keep dust down and clean tires;
6. Dust shall be controlled during construction and/or until area is stabilized;
7. Uncontaminated surface water shall be diverted around disturbed areas;
8. All Erosion and Sediment Control measures shall be installed and maintained in accordance with Town specifications and good engineering practices;
9. Off-site transport of sediment shall be prevented, including sediment tracked by vehicles leaving the site;
10. On and off-site stockpile areas shall be managed to provide protection from erosion and sediment transport (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project);
11. Applicable Federal, State and local laws and regulations shall be complied with fully including waste disposal, sanitary sewer or septic system regulations, and air quality requirements, including dust control;
12. The proposed activities shall not be permitted to have adverse impacts to habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or Of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species;
13. Interim and permanent stabilization measures shall be instituted on a disturbed area as soon as practicable but no more than fourteen (14) days after construction activity has temporarily or permanently ceased on that portion of the site; and
14. On-site construction and waste materials shall be handled properly;

**B. Contents.** The Erosion and Sediment Control Plan shall contain the following information:

1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
2. Title, date, north arrow, names of abutters, scale ( no Greater than 1"=40'), legend, and locus map (1"=200').
3. Location and description of natural features including:
  - a. Watercourses and water bodies, wetland resource areas, riparian zones and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps;
  - b. Existing vegetation of various kinds including tree lines, shrub layer, ground cover and herbaceous vegetation, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities;
  - c. Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, Potential Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
4. Lines of existing abutting streets showing drainage and driveway locations and curb cuts.
5. Existing soils (type, hydrologic group, erodibility) and the volume and nature of imported soil materials.
6. Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed.
7. Steep slopes for pre-development and post-development conditions, delineated by 0%-15%, 15%-25%, and over 25%.
8. Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed.
9. Drainage patterns, watersheds and subwatersheds, with calculations of proposed land disturbance within each subwatershed and areas of soil to be disturbed in each watershed throughout the duration of the proposed land disturbance activity.
10. Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas.
11. Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable.
12. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures.
13. A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.
14. A description of provisions for phasing the project where 40,000 s.f. or greater is to be altered or disturbed.

15. Plans, reports, and calculations must be stamped and certified by a qualified professional as defined in Section 2 of the Walpole Stormwater Management and Erosion Control Bylaw.
16. Such other information as is required by the Conservation Commission.

### **PART III. STORMWATER MANAGEMENT PLANS**

#### **A. Standards.**

1. The Stormwater Management Plan shall be prepared in accordance with the Massachusetts DEP Stormwater Management Standards and Stormwater Policy Handbook Volumes One and Two and as revised.
2. Annual groundwater recharge from the post-development site shall approximate annual recharge from pret-development.
3. All sites shall be design so that post development rates of run-off equal pre-development rates of run-off.
4. All projects shall have at minimum detention basins with sediment traps and/or catch basins with deep sump and environmental hoods.
5. The Stormwater Management Plan shall incorporate the following (whenever possible) best management practices and/or other recommended by the Commission or consultant:

Vegetative swales	Preserve unique natural features of the site
Vegetative filter strips	Non-invasive plant species
Water efficient irrigation systems	Natural landscaping species
Pervious paving surfaces	Landscape areas that retain water and are appropriate to soils and micro- climates
Retention basins	Buildings oriented towards the sun for energy efficiency.
Bio-retention basin	
Building blended into natural features.	

#### **B. Stormwater Management Plan Requirements.** The Stormwater Management Plan shall contain the following information:

1. A plan scale of no greater than 1"= 40'. Title, date, north and names of abutters.
2. A locus map, at a scale of 1"=200'.
3. The existing zoning, and land use at the site.
4. The proposed land use.
5. The location(s) of existing and proposed easements.
6. The location of existing and proposed utilities.
7. The site's existing & proposed topography with contours at 2 foot intervals.
8. The existing site hydrology.
9. A description & delineation of existing stormwater conveyances, impoundments, and wetlands on or adjacent to the site or into which stormwater flows.
10. A delineation of 100-year flood plains, if applicable.
11. A estimate made by a Licensed Soil Evaluator of seasonal high groundwater elevation in each area to be used for stormwater retention, detention, or infiltration.
12. The existing and proposed vegetation and ground surfaces with runoff coefficient for each.
13. A drainage area map showing pre and post construction watershed boundaries, drainage area and stormwater flow paths.

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14. A description and drawings of all components of the proposed drainage system including:
  - a. locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization,
  - b. all measures for the detention, retention or infiltration of water,
  - c. all measures for the protection of water quality,
  - d. the structural details for all components of the proposed drainage systems and stormwater management facilities,
  - e. notes on drawings specifying materials to be used, construction specifications, and typicals, and
  - f. expected hydrology with supporting calculations.
15. The proposed improvements including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable.
16. The Timing, schedules, and sequence of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization.
17. A maintenance schedule for the period of construction.
18. Any other information requested by the Conservation Commission.

#### **PART IV. OPERATION AND MAINTENANCE PLANS and AGREEMENTS**

**A. Operation and Maintenance Plan Requirements.** An Operation and Maintenance Plan (O&M Plan) is required at the time of application for all projects. Once approved by Conservation Commission and the Planning Board if required, the Operation and Maintenance Plan shall be recorded at the Norfolk County Registry of Deeds, shall remain on file with the Conservation Commission and shall be an ongoing requirement. The O&M Plan shall include:

1. The name(s) of the owner(s) for all components of the system
2. Maintenance agreements that specify:
  - a. The names and addresses of the person(s) responsible for operation and maintenance
  - b. The person(s) responsible for financing maintenance and emergency repairs.
  - c. A Maintenance Schedule listing action to be taken and when for all drainage structures, including swales and ponds.
  - d. A list of easements with the purpose and location of each.
  - e. The signature(s) of the owner(s).
  - f. Requirement to notify the Conservation Commission in writing of change in ownership or assignment of financial responsibility.
  - g. Amendments to the O& M agreement shall be made in writing to the Conservation Commission and shall be signed by the responsible parties. The amended O & M shall then be filed at the Registry of Deeds when approved.
  - h. Annual reports with maintenance log shall be sent to the Conservation Commission.

**B. Stormwater Management Easement(s).**

1. Stormwater management easements shall be provided by the property owner(s) as areas are necessary for:
  - a. access for facility inspections and maintenance,
  - b. preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event; and
  - c. direct maintenance access by heavy equipment to structures requiring regular cleanout maintenance.
2. The purpose of each easement shall be specified in the maintenance agreement signed by the property owner.
3. Stormwater management easements are required for all areas used for off-site stormwater control, unless a waiver is granted by the Conservation Commission.
4. Easements shall be recorded with the Norfolk County Registry of Deeds prior to issuance of a Certificate of Completion by the Conservation Commission.

**PART V DEPARTMENTAL REVIEW AND PUBLIC HEARING POSTING**

- A. Copies of all applicable plans, application and documents shall be distributed to Town departments (Planning Board, Health, Engineering, Water and Sewer, Building Inspector, and other departments if applicable) for their review and recommendations.
- B. Within **21 days** of receipt of the complete application for Land Disturbance Permit the Conservation Commission will hold a public hearing and shall take final action within **21 days** of close of the public hearing unless such time is extended by agreement between the applicant and the Conservation Commission. Notice of the public hearing will be published in the local paper at the expense of the applicant, and posted with the Town Clerk. The Conservation Commission shall be responsible for the postings. The Conservation Commission shall make the plans and application available to the public during regular business hours at Walpole Town Hall.

## **PART VI. REVIEW FEE SCHEDULE**

The following fee schedules are minimum fees. The Conservation Commission may require professional review fees if deemed necessary for proper review of an application and/or to ensure compliance.

<b>Activity</b>	<b>Application Fee</b>
An acre or less	\$ 50.00
Greater than 1 to 5 Acres	\$100.00
Greater than 5 to 10 Acres	\$200.00
Greater than 10 Acres	\$300.00, plus \$50.00 per additional acre
Detention/Retention basins	\$250.00 per basin
Amendment	\$100.00
Extension	25% of existing fee
Re-submittal (after denial)	50% of current filing fee
Certificate of Compliance for projects greater than 1 acre:	\$100.00

Fees for professional review will be established in accordance with G.L. c. 44§53G in necessary.

## APPLICATION LAND DISTURBANCE PERMIT

### GENERAL INSTRUCTIONS

An applicant for a land disturbance plan review must file with the Conservation Commission a completed application package, in accordance with the requirements of the Stormwater Management and Erosion Control Bylaw. Timelines concerning the review process will not begin until the Conservation Commission has determined that the application is complete.

1. Any application not accompanied by the appropriate fee shall be deemed incomplete. Payment must be made to the Town of Walpole Conservation in cash, money order, bank or certified check payable to the Town of Walpole.
2. An Applicant's failure to pay any additional review or inspection fee within five business days of receipt of the notice that further fees are required shall be grounds for disapproval.
3. The Conservation Commission will publish the public noticeThe applicant shall pay costs associated with the publication requirements.

Professional review fees include engineering review, legal review, and clerical fees associated with the public hearing and permit processing. If professional fees are deemed necessary for proper review of the application, a fee estimate will be provided by a consultant chosen by the Conservation Commission' The applicant will be required to cover the costs of said consultants through an account established pursuant to G.L. c. 44§53G.

**Applicant's Name** \_\_\_\_\_

Applicant's Address \_\_\_\_\_

Applicant's Phone \_\_\_\_\_

**Owners' Names(s)** \_\_\_\_\_

Owners' Address \_\_\_\_\_

Owner's Phone \_\_\_\_\_

**Representative:** \_\_\_\_\_

Address: \_\_\_\_\_

Phone number and email address: \_\_\_\_\_  
\_\_\_\_\_

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The Land Disturbance involves property where owner's title to the land is derived under deed from \_\_\_\_\_, dated \_\_\_\_\_, and recorded in the Norfolk County Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, or

Land Court Certificate of Title No \_\_\_\_\_, Registered in \_\_\_\_\_ District, Book \_\_\_\_\_, Page \_\_\_\_\_.

The project is located on the parcel shown on Assessors Map \_\_\_\_\_, Parcel \_\_\_\_\_.

Project street address:

\_\_\_\_\_

Give a brief summary of the nature of the project (attach separate sheet if necessary):

Best Management Practices applied to the project (check if applied):

- |  |  |
|--|--|
| <input type="checkbox"/> Vegetative swales                       | <input type="checkbox"/> Preserve unique natural features of the site                                      |
| <input type="checkbox"/> Vegetative filter strips                | <input type="checkbox"/> Non-invasive plant species  |
| <input type="checkbox"/> Water efficient irrigation systems      | <input type="checkbox"/> Natural landscaping species   |
| <input type="checkbox"/> Pervious paving surfaces                | <input type="checkbox"/> Landscape areas that retain water and are appropriate to soils and micro-climates |
| <input type="checkbox"/> Retention basins                        | <input type="checkbox"/> Buildings oriented towards the sun for energy efficiency.                         |
| <input type="checkbox"/> Bio-retention basin                     |  |
| <input type="checkbox"/> Building blended into natural features. |  |
| <input type="checkbox"/> Other: _____                            |  |

Current use of property:

\_\_\_\_\_

The changes proposed are (attach as separate sheet necessary):

\_\_\_\_\_

\_\_\_\_\_

Planned start date: \_\_\_\_\_, Planned completion date: \_\_\_\_\_

Total area to be disturbed? \_\_\_\_\_ square feet.

Total area of the project site (lot(s)) \_\_\_\_\_

Will there be disturbance of any slope greater than 25%? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, give the area of the slope disturbance. \_\_\_\_\_ square feet.

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List other local, state and federal permits that apply to project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list other narratives and plans (graphics) submitted with this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach application fee and supporting documents.

**Certification**

I, the undersigned, hereby certify that I have read and understand the requirements and conditions of the Town of Walpole Stormwater Management and Erosion Control Bylaw and that the information included in the application materials is accurate and truthful to the best of my knowledge. (sign and print name and date)

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_ (please print)

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ (please print)

Filing fee \$ \_\_\_\_\_ Check # \_\_\_\_\_